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FROM: Terry W. Kramer
KRAMER & AMADO, P.C.

DATE: October 30, 2007

SUBJECT: U.S. Patent Application
Title: IMPROVED CALL FAILURE RECORDING
Serial No.: 10/720,225
Attorney Docket No.: ALC 3099

PAGES: INCLUDING COVER PAGE (7)

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- Transmittal Form (1 page)
- Request for Reconsideration (5 pages)

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OCT 30 2007

PTO/SB/21 (09-08)

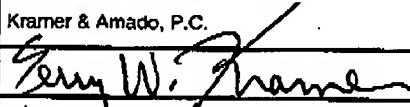
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/720,255
	Filing Date	November 25, 2003
	First Named Inventor	James Stewart McCormick
	Art Unit	2614
	Examiner Name	Quynh H. Nguyen
Total Number of Pages in This Submission	Attorney Docket Number	ALC 3099

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Reconsideration
Remarks		

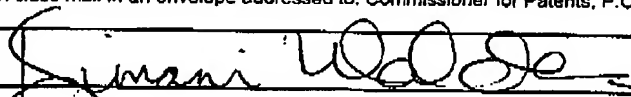
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Kramer & Amado, P.C.		
Signature			
Printed name	Terry W. Kramer		
Date	October 30, 2007	Reg. No.	41,541

CERTIFICATE OF TRANSMISSION/MAILING

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Jimani Walden

Date

October 30, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OCT 30 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	James Stewart McCormick et al.
For	:	IMPROVED CALL FAILURE
	:	RECORDING
Serial No.	:	10/720,225
Filed	:	November 25, 2003
Art Unit	:	2614
Examiner	:	Quynh H. Nguyen
Att. Docket	:	ALC 3099
Confirmation No.	:	4351

REQUEST FOR RECONSIDERATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Request is in response to the Office Action dated August 28, 2007, and is believed to be fully responsive to each point of the rejection raised therein. Accordingly, favorable reconsideration and allowance of all the claims are respectfully requested in view of the following remarks. Claims 1-19 are pending in the present application of which claims 1 and 15 are independent.

In section 2 on pages 2-3, the Office Action rejects claims 1, 5-9, and 15 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Number 6,208,627 to Menon et al.

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("Menon") in view of U.S. Patent Number 6,788,933 to Boehmke et al. ("Boehmke"). Applicant respectfully traverses this rejection.

Claim 1 recites "formulating an identifier for said first failure log based on said failure type" (emphasis added). Claim 15 contains a similar recitation. This subject matter relates to generating an identifier, such as a log ID, based on the type of failure log. See, e.g., paragraph [0036]. In various exemplary embodiments, a log ID formulation unit receives a failure log type and generates a unique failure log ID based on the failure log type. *Id.* For example, the system may inspect the failure reason and failure point to determine a failure log identifier. *Id.*

Applicant respectfully submits that Menon does not disclose, teach, or suggest the claimed subject matter quoted above. The Office Action alleges that Menon discloses this subject matter in column 42, lines 5-11. Applicant respectfully submits that the Office Action has mischaracterized the disclosure of Menon.

When the system of Menon detects a failure at the wireless communication unit, the system transmits an alarm message to report the failure to the operator. See col. 41, ln. 31-33. "The format of an alarm message or alarm information sent by the wireless communication unit 106 to the base station 109 may include multiple fields, including an identifier field, a failure type field, a status field, a failure cause field, and a log number field." See col. 41, ln. 60-64. "The failure type field contains information indicating the type of failure that has occurred - e.g., communications failure, quality of service failure, processing failure, or equipment failure." See col. 42, ln. 1-11. "The log number is used to track the alarm." *Id.* "The wireless access

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communication unit 106 may maintain a log of triggered alarms, each having a corresponding log number." Id.

Although the system of Menon stores both a failure type field and a log number field, Menon does not disclose, teach, or suggest that the failure type field is used as an input variable to formulate the log number field. In other words, the log number field is determined independently from the failure type field and is not based on the failure type. Accordingly, Applicant respectfully submits that Menon does not disclose, teach, or suggest "formulating an identifier for said first failure log based on said failure type," as recited in claim 1 and similarly recited in claim 15.

Applicant respectfully submits that Boehmke also does not disclose, teach, or suggest the claimed subject matter quoted above. The system of Boehmke stores information regarding the telephone number and directory number for a particular call stored in the call records. See col. 17, ln. 12-26. In other words, the system of Boehmke passively gathers information about a particular call and stores it in a record, but does not formulate an identifier based on a failure type.

For example, when the system of Boehmke detects a call failure, it stores various fields of information about the failure, including the call type, telephone number, failure type, and other data. See Figure 7B. However, the processing of Boehmke ends there; the system does not process this information in order to formulate an identifier based on the failure type. Accordingly, Applicant submits that Boehmke does not disclose, teach, or suggest "formulating an identifier for said first failure log based on said failure type," as recited in claim 1 and

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similarly recited in claim 15. Thus, the Office Action correctly does not rely on Boehmke with respect to this subject matter in the rejection.

For at least the forgoing reasons, it is respectfully submitted that the combination of Menon and Boehmke fails to disclose, teach, or suggest "formulating an identifier for said first failure log based on said failure type," as recited in claim 1 and similarly recited in claim 15.

At least by virtue of the failure of both Menon and Boehmke to disclose, teach, or suggest the above quoted subject matter according to the combinations recited in claims 1 and 15, Applicant respectfully submits that the Office Action has failed to establish a *prima facie* case of obviousness as required under 35 U.S.C. § 103. Claims 5-9 depend from allowable claim 1. Accordingly, claims 5-9 are also allowable over Menon and Boehmke at least by virtue of their dependencies.

For at least the forgoing reasons, Applicant respectfully requests that the rejection of claims 1, 5-9, and 15 under 35 U.S.C. § 103 be withdrawn.

In section 3 on pages 4-5, the Office Action rejects claims 2-4, 10, and 16-19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Menon in view of Boehmke and further in view of U.S. Patent Number 6,170,067 to Liu et al. ("Liu").

Applicant respectfully submits that claims 2-4 and 10 are allowable based at least on their dependence from claim 1 for the reasons stated above in connection with claim 1. Furthermore, Applicant respectfully submits that claims 16-19 are allowable based at least on their dependence from claim 15 for the reasons stated above in connection with claim 15. Liu fails to overcome the deficiencies in Menon and Boehmke discussed above.

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For at least the forgoing reasons, Applicant respectfully requests that the rejection of claims 2-4, 10, and 16-19 under 35 U.S.C. § 103 be withdrawn.

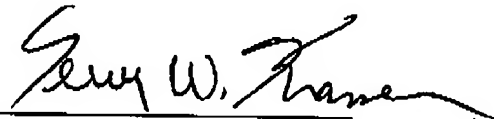
CONCLUSION

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

While we believe that the instant Request places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.



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Date: October 30, 2007

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